

AN ORDINANCE BY COMMITTEE ON COUNCIL

AN ORDINANCE TO AUTHORIZE THE MAYOR TO ENTER INTO A CONTRACT WITH FULTON COUNTY TO CONDUCT A SPECIAL ELECTION FOR THE CITY OF ATLANTA TO BE HELD ON AUGUST 20, 2002 TO APPROVE OR NOT APPROVE A HOMESTEAD EXEMPTION FROM CERTAIN CITY OF ATLANTA AD VALOREM TAXES FOR MUNICIPAL PURPOSES IN AN AMOUNT EQUAL TO THE AMOUNT BY WHICH THE CURRENT YEAR ASSESSED VALUE OF A HOMESTEAD EXCEEDS THE BASE YEAR ASSESSED VALUE OF SUCH HOMESTEAD FOR CERTAIN RESIDENTS WHO ARE 65 YEARS OF AGE OR OLDER AND WHOSE ANNUAL HOUSEHOLD INCOME DOES NOT EXCEED \$39,000.00, AND FOR OTHER PURPOSES.

WHEREAS, in accordance with Section 21-2-45 (c)(2) of the State of Georgia Elections Code, the City of Atlanta may authorize Fulton County by ordinance to conduct elections and to perform any and all functions, as outlined in said code section and as required by such an election; and

WHEREAS, the City of Atlanta wishes to enter into a contract with Fulton County to conduct a Special Election for the City of Atlanta; and

WHEREAS, the City will pay for all expenses associated with said election; and

WHEREAS, the governing authority of the City in accordance with Section 21-2-70.1(b) of the State of Georgia Elections Code shall appoint a municipal election superintendent in a public meeting and the appointment shall be recorded in the minutes of said meeting.

NOW, THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA, as follows:

SECTION 1: That a special election to approve or not approve a homestead exemption for residents of the City who are 65 years of age or older whose income does not exceed \$39,000, shall be called to be held in the City of Atlanta in conjunction with the state-wide General Primary Election on August 20, 2002, by authority of Ordinance 02-O-1140.

SECTION 2: That the Mayor be and is hereby authorized to execute an appropriate contractual agreement with Fulton County to conduct said Special Election in conjunction with the state-wide General Primary Election to be held on August 20, 2002.

SECTION 3: That the governing authority of the City, the Atlanta City Council, in accordance with Section 21-2-70.1(b) of the State of Georgia Elections Code does hereby appoint the Fulton County Board of Registration and Elections with the Fulton County Department of Registration and Elections acting as its agent as the Municipal Election Superintendent for the 2002 City of Atlanta Special Municipal Election to be held in conjunction with the state-wide General Primary Election on August 20, 2002, and that said appointment shall be recorded in the minutes of the Council's meeting., whereby this ordinance is adopted.

SECTION 4: That the City shall pay to Fulton County in an amount not to exceed _____ to be paid and charged from Account Center Number _____.

SECTION 5: That the City Attorney be and is hereby directed to prepare an appropriate contract with Fulton County for execution by the Mayor, in substantially the form attached hereto identified as Attachment I, and to be approved by the City Attorney as to final form.

SECTION 6: That the contract with Fulton County shall not become binding on the City and the City shall incur no liability upon same until such contract has been signed by the Mayor and delivered to the contracting party.

SECTION 7: That should any part of this ordinance be declared unconstitutional or unenforceable in a court of law, that is it shall be severed from this ordinance and all such parts not declared unconstitutional or unenforceable shall remain in full force and effect.

SECTION 8: That all ordinances and parts of ordinances in conflict herewith be and are here by repealed.

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Account # to be
inserted into 02-0-1235